

Court of Appeals, State of Michigan

ORDER

Frank Richard Jacobson v Norfolk Development Corporation

Docket No. 283361

LC No. 06-000289-CH

Jane E. Markey
Presiding Judge

William B. Murphy

Richard A. Bandstra
Judges

The motions for immediate consideration are GRANTED.

The motion for leave to supplement the answer is GRANTED. The supplement received on February 25, 2008 is accepted for filing.

The Court orders that the motion to dismiss is DENIED.

The Court further orders that the delayed application for leave to appeal is DENIED for lack of merit in the grounds presented.

The motion for costs and attorney fees is GRANTED, as there was no reasonable basis for belief that there was a meritorious issue to be determined on appeal. MCR 7.216(C)(1). The matter is remanded to the circuit court for a determination of actual damages. MCR 7.216(C)(2).

We do not retain jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR 05 2008

Date

Sandra Schultz Mengel
Chief Clerk